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Page 1 of 3

**OCT 23 2006**

UNITED STATES PATENT AND TRADEMARK OFFICE

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APPL NO	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/574,612	07/15/2006 <b>06/15/2006</b>	3617	2230	32681007004	6	36	5

CONFIRMATION NO. 4212

021005

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.  
530 VIRGINIA ROAD  
P.O. BOX 9133  
CONCORD, MA 01742-9133

FILING RECEIPT

\*OC000000020846033\*

Date Mailed: 10/17/2006

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

**Applicant(s)**Yousef Al-Abed, Locust Valley, NY;  
Kevin J. Tracey, Old Greenwich, CT;**Power of Attorney:** The patent practitioners associated with Customer Number **021005**.**Domestic Priority data as claimed by applicant**This application is a 371 of PCT/US04/32986 10/07/2004  
which claims benefit of 60/560,719 10/07/2003  
and claims benefit of 60/516,027 10/31/2003**Foreign Applications**

If Required, Foreign Filing License Granted: 10/14/2006

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US10/574,612**

Projected Publication Date: 01/25/2007

Non-Publication Request: No

Early Publication Request: No

**RECEIVED****OCT 20 2006**HAMILTON, BROOK  
SMITH & REYNOLDS, P.C.

## Title

Anti-inflammatory compounds - *ISORAZOLE AND ISOTHAZOLE*  
*COMPOUNDS USEFUL IN THE TREATMENT OF*

## Preliminary Class

*INFLAMMATION*

440

**PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES**

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

**LICENSE FOR FOREIGN FILING UNDER****Title 35, United States Code, Section 184****Title 37, Code of Federal Regulations, 5.11 & 5.15****GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof

unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

#### **NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12. If a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

OCT-23-2006 MON 05:16 PM

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P. 01

HAMILTON, BROOK, SMITH & REYNOLDS, P.C. **RECEIVED**  
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**OCT 23 2006**

Telephone: (978) 341-0036

Facsimile: (978) 341-0136

### FACSIMILE COVER SHEET

**Examiner:** Office of Initial Patent Examination  
Customer Service Center

**Date:** October 23, 2006

**Client Code:** 3268.1007-004

**Facsimile No.:** 571-273-8300

**From:** David E. Brook, Esq.

**Subject:** Request for Corrected Filing Receipt

**Docket No.:** 3268.1007-004

**Applicants:** Yousef Al-Abed and Kevin J. Tracey

**Application No.:** 10/574,612

**Filing Date:** June 15, 2006 (371[c] date)

Number of pages including this cover sheet: 19

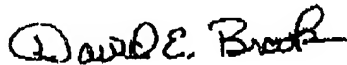
Please confirm receipt of facsimile: Yes X No    

**Sir:**

A Request for Corrected Filing Receipt and Notice of Acceptance of Application Under 35 U.S.C. 371 and 37 CFR 1.495 is attached, with copies of documents supporting this request.

Please correct the 371(c) date and correct the title of this application in the USPTO records and issue a Corrected Filing Receipt and Corrected Notice of Acceptance of Application Under 35 U.S.C. 371 and 37 CFR 1.495.

Respectfully submitted,



David E. Brook, Registration No. 22,592

@PFDesktop\ODMA\MHODMA\1135R05\jManaga;657993;1

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October 23, 2006

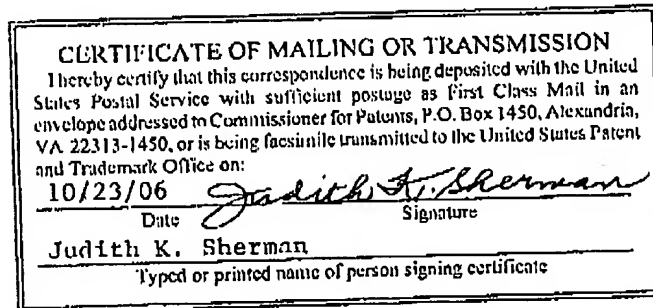
PATENT APPLICATION  
Docket No.: 3268-1007-004

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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OCT 23 2006

Applicants: Yousef Al-Abed and Kevin J. Tracey  
Application No.: 10/574,612 Group: 3617  
371(c) Filing Date: June 15, 2006 Examiner: Not available  
Confirmation No.: 4212  
For: ISOXAZOLE AND ISOTHIAZOLE COMPOUNDS USEFUL IN  
THE TREATMENT OF INFLAMMATION



REQUEST FOR CORRECTED FILING RECEIPT AND NOTICE OF ACCEPTANCE OF  
APPLICATION UNDER 35 U.S.C. 371 AND 37 CFR 1.495  
FOR UTILITY APPLICATION

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

We hereby request that the following items of information be corrected in the Filing Receipt and Notice of Acceptance of Application Under 35 U.S.C. 371 and 37 CFR 1.495 received in this office on October 20, 2006 for the subject application.

The Filing or 371(c) date is incorrectly recorded as "07/15/06" on the Filing Receipt and the title is incorrectly recorded as "Anti-inflammatory Compounds." In addition, the Date of Receipt of 35 U.S.C. 371(c)(1), (c)(2) and (c)(4) Requirements and Date of Completion of all 35 U.S.C. 371 Requirements is incorrectly recorded as "07/15/2006" on the Notice of Acceptance of Application Under 35 U.S.C. 371 and 37 CFR 1.495. Finally, at the bottom of the Notice of

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10/574,612

-2-

OCT 23 2006

Acceptance of Application Under 35 U.S.C. 371 and 37 CFR 1.495, the date that the Oath or Declaration and the Assignment was filed on is **June 15, 2006**, not July 15, 2006, as indicated.

The correct 371(c) Filing Date is **06/15/2006**, since an executed Declaration was submitted to Mail Stop PCT (DO/EO) at the U.S. Patent and Trademark Office (USPTO), via Express Mail procedures, on **June 15, 2006**.

In addition, the correct title for this application is **"Isoxazole and Isothiazole Compounds Useful in the Treatment of Inflammation,"** and not **"Anti-inflammatory Compounds,"** as it is recorded on the Filing Receipt.

Copies of the following documents are submitted herewith:

- Filing Receipt and Notice of Acceptance of Application Under 35 U.S.C. 371 and 37 CFR 1.495, with corrections noted in red;
- Transmittal of Declaration for Patent Application, mailed to the U.S. Patent and Trademark Office (USPTO), under Express Mail procedures, Express Mail Label No. EV214899377 US on June 15, 2006, with correct title, as indicated above;
- Executed Declaration for Patent Application showing correct title;
- Postcard receipt submitted with Transmittal of Declaration and executed Declaration on June 15, 2006 showing a received date stamp of June 15, 2006;
- Transmittal of Declaration for Patent Application printed from the USPTO Patent Application Information Retrieval (PAIR) database showing a received date of June 15, 2006;
- U.S. National Stage Worksheet (DO/EO) printed from PAIR showing that the executed Declaration was submitted on June 15, 2006 and that the 102(e) date and Date for the completion of 35 USC 371 requirements was met is June 15, 2006; and
- Application Cover Sheet with Express Mail Label EV 214881464 US and Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Submission Under 35 U.S.C. 371, mailed to the USPTO on April 5, 2006, showing the correct title.

10/574,612

-3-

Pursuant to instructions in the February 29, 2000 O.G., we hereby request that the errors which are identified above be corrected in the captioned application to which this request for correction is directed. It is understood that the Patent Office will issue an automatically-generated, corrected Filing Receipt and corrected Notice of Acceptance of Application, indicating that the requested corrections have been made in the USPTO records.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By David E. Brook

David E. Brook

Registration No.: 22,592

Telephone: (978) 341-0036

Facsimile: (978) 341-0136

Concord, MA 01742-9133  
Date: 10/23/06

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U.S. APPLICATION NUMBER NO. 10/574,612	FIRST NAMED APPLICANT Yousef Al-Abed	ATTY. DOCKET NO. 32681007004
INTERNATIONAL APPLICATION NO. PCT/US04/32986		
I.A. FILING DATE 10/07/2004		PRIORITY DATE 10/07/2003

021005  
 HAMILTON, BROOK, SMITH & REYNOLDS, P.C.  
 530 VIRGINIA ROAD  
 P.O. BOX 9133  
 CONCORD, MA 01742-9133

**CONFIRMATION NO. 4212**  
**371 ACCEPTANCE LETTER**  
 \*OC000000020846034\*

Date Mailed: 10/17/2006

## NOTICE OF ACCEPTANCE OF APPLICATION UNDER 35 U.S.C 371 AND 37 CFR 1.495

The applicant is hereby advised that the United States Patent and Trademark Office in its capacity as a Designated / Elected Office (37 CFR 1.495), has determined that the above identified international application has met the requirements of 35 U.S.C. 371, and is ACCEPTED for national patentability examination in the United States Patent and Trademark Office.

The United States Application Number assigned to the application is shown above and the relevant dates are:

06/15/2006	06/15/2006
07/15/2006	07/15/2006
DATE OF RECEIPT OF 35 U.S.C. 371(c)(1), (c)(2) and (c)(4) REQUIREMENTS	DATE OF COMPLETION OF ALL 35 U.S.C. 371 REQUIREMENTS

A Filing Receipt (PTO-103X) will be issued for the present application in due course. **THE DATE APPEARING ON THE FILING RECEIPT AS THE " FILING DATE" IS THE DATE ON WHICH THE LAST OF THE 35 U.S.C. 371 (c)(1), (c)(2) and (c)(4) REQUIREMENTS HAS BEEN RECEIVED IN THE OFFICE. THIS DATE IS SHOWN ABOVE. The filing date of the above identified application is the international filing date of the international application (Article 11(3) and 35 U.S.C. 363).** Once the Filing Receipt has been received, send all correspondence to the Group Art Unit designated thereon.

The following items have been received:

- Copy of the International Application filed on 04/05/2006
- Copy of the International Search Report filed on 04/05/2006
- Preliminary Amendments filed on 04/05/2006
- Information Disclosure Statements filed on 04/05/2006
- Oath or Declaration filed on 07/15/2006 06/15/2006
- U.S. Basic National Fees filed on 04/05/2006
- Assignment filed on 07/15/2006 06/15/2006
- Priority Documents filed on 04/05/2006
- Specification filed on 04/05/2006
- Claims filed on 04/05/2006
- Abstracts filed on 04/05/2006

- Drawings filed on 04/05/2006

---

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

---

VONDA M WALLACE  
Telephone: (703) 308-9140 FXT 225

PART 1 - ATTORNEY/APPLICANT COPY

FORM PCT/DO/EO/903 (371 Acceptance Notice)

@PFDesktop:ODMA/MHODMA/HR' :Manage:631140;1  
DED/SQL/AA/saj  
June 15, 2006

PATENT APPLICATION  
Docket No.: 3268.1007-004

## IN THE UNITED STATES RECEIVING OFFICE (US/DO/EO)

Applicant: Yousef Al-Abed and Kevin J. Tracey

U.S. Application No.: 10/574,612

EV214899377US

U.S. National Stage of:

International Application No.: PCT/US2004/032986

International Filing Date: October 7, 2004

**COPY**

For: ISOXAZOLE AND ISOTHIAZOLE COMPOUNDS USEFUL IN THE  
TREATMENT OF INFLAMMATION

Date: <u>6-15-06</u>
EXPRESS MAIL LABEL NO. <u>EV214899377US</u>

TRANSMITTAL OF DECLARATION FOR PATENT APPLICATION

Mail Stop PCT (DO/EO)  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Enclosed for filing in the U.S. Receiving Office is an executed Declaration for Patent Application. The Declaration for Patent Application is being filed before receipt of the Notification of Missing Requirements (Form PCT/DO/EO/905).

A check in the amount of \$130.00 is enclosed in payment of the surcharge.

Please charge any deficiency or credit any overpayment in the fees that may be due in this matter to Deposit Account No. 08-0380. A copy of this letter is enclosed for accounting purposes.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By Alexander Akhiezer  
Alexander Akhiezer  
Registration No.: 54,617  
Telephone (978) 341-0036  
Facsimile (978) 341-0136

Concord, Massachusetts 01742-9133

Date: 6/15/06

DOCKET NO. 3268.1007-004

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Declaration for Patent Application☐ Supplemental (37 C.F.R. §1.67)**COPY**

As a named inventor, I hereby declare that:

My residence, mailing address and citizenship are as stated next to my name;

I believe I am the original, first and sole inventor (if only one name is listed) or an original, first and joint inventor (if plural names are listed in the signatory page(s) commencing at page 2 hereof) of the subject matter which is claimed and for which a patent is sought on the invention entitled

ISOXAZOLE AND ISOTHIAZOLE COMPOUNDS USEFUL IN THE TREATMENT OF  
INFLAMMATION

the specification of which (check one)

☐ is attached hereto.☐ was filed on [ ] as United States Application Number [ ].☒ was filed on October 7, 2004 as PCT International Application No. PCT/US2004/032986 and assigned United States Application No. 10/574,612.☐ and was amended on [ ] (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. §1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

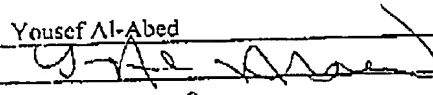
I hereby expressly authorize the filing of an International Patent Application under the Patent Cooperation Treaty which corresponds to and claims the priority of the above-identified application.

I hereby claim foreign priority benefits under 35 U.S.C. 119 or 365 of any foreign application(s) for patent or inventor's certificate, or of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed:

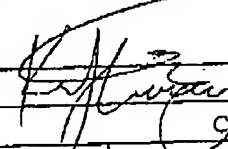
<u>Prior Foreign Application(s)</u>			Priority Not Claimed	Certified Copy Filed?	
				YES	NO
(Number)	(Country)	(Day/Month/Year filed)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(Number)	(Country)	(Day/Month/Year filed)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(Number)	(Country)	(Day/Month/Year filed)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

-2-

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor				Yousef Al-Abed			
Inventor's Signature							
Residence: City		State		Country		Citizenship	
Locust Valley		NY		U.S.A.		U.S.A.	

Mailing Address (Business or Residential)							
Street or P.O. Box 24 High Street							
City		State		ZIP		Country	
Locust Valley		NY		11560		U.S.A.	

Full name of second joint inventor, if any				Kevin J. Tracey			
Inventor's Signature							
Residence: City		State		Country		Citizenship	
Old Greenwich		CT		U.S.A.		U.S.A.	

Mailing Address (Business or Residential)							
Street or P.O. Box 17 Highview Avenue							
City		State		ZIP		Country	
Old Greenwich		CT		06870		U.S.A.	

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Initials: DEB/SGD/AA/saj      Docket No.: 3268.1007-004

Date: 6/15/06

This is to acknowledge receipt of the following documents:

- ☒ EXECUTED DECL. FOR PATENT APPLICATION - Total pages [ 2 ] 1 doc.  
Express Mail Label No. EV 214899377 US
- ☒ Check (\$ 130.00 )
- ☒ Transmittal of Declaration for Patent Application w/copy

Applicants:      Yousef Al-Abed *et al.*

Application No.: 10/574,612

U.S. National Stage of International Application No.: PCT/US2004/032986

International Filing Date: October 7, 2004

Title: Isoxazole and Isothiazole Compounds Useful in the Treatment ...

Date received by the PTO:

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IAP15 Rec'd PCT PTO 15 JUN 2006

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P. 14

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DEW/SGD/AN/saj  
June 15, 2006

IAP15 Rec'd PCT/PTO 15 JUN 2006  
PATENT APPLICATION  
Docket No.: 3268.1007-004

IN THE UNITED STATES RECEIVING OFFICE (US/DO/EO)

Applicant: Yousef Al-Abed and Kevin J. Tracchi

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U.S. Application No.: 10/574,612

OCT 23 2006

U.S. National Stage of:

International Application No.: PCT/US2004/032986

International Filing Date: October 7, 2004

For: ISOXAZOLE AND ISOTHAZOLE COMPOUNDS USEFUL IN THE  
TREATMENT OF INFLAMMATION

Date: 6-15-06
EXPRESS MAIL LABEL NO. EV2148993775

TRANSMITTAL OF DECLARATION FOR PATENT APPLICATION

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:  
Enclosed for filing in the U.S. Receiving Office is an executed Declaration for Patent Application. The Declaration for Patent Application is being filed before receipt of the Notification of Missing Requirements (Form PCT/DO/EO/905).

A check in the amount of \$130.00 is enclosed in payment of the surcharge.

Please charge any deficiency or credit any overpayment in the fees that may be due in this matter to Deposit Account No. 08-0380. A copy of this letter is enclosed for accounting purposes.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

06/20/2006 KKAYPAGH 00000116 10574612

01 FC:1617

130.00 OP

By Alexander Akhizer  
Alexander Akhizer  
Registration No.: 54,617  
Telephone (978) 341-0036  
Facsimile (978) 341-0136

Concord, Massachusetts 01742-9133

Date: 6/15/06

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## U.S NATIONAL STAGE WORKSHEET (DO/EO)

U.S. APPL. NO. 10/574612 INTERNATIONAL APPL. US04/032986APPLICATION FILED BY: 20 MOS. \_\_\_\_\_ OR 30 MOS. X SCREENED BY Franklin, John

## INTERNATIONAL APPLICATION PAPERS IN THE APPLICATION FILE:

- ☒ International application  
☐ Article 19 amendments  
☒ Priority Document(s) No. 2  
☐ Request Form PCT/RO/101  
☐ PCT/IB/302  
☐ PCT/IB/304  
☐ PCT/IB/306  
☐ PCT/IB/308  
☐ PCT/IB/331  
☐ OTHER PCT/IB/  
☐ PCT/IB/409 also 416

- \_\_\_\_\_ 409 annexes to IPER  
 \_\_\_\_\_ PCT/ISA/210 (Search report)  
☒ Search report References  
 \_\_\_\_\_ Other Papers filed

WIPO PUBLICATION  
 PUBLICATION NO. WO/05/024952  
 PUBLICATION DATE 21 JUN 05  
 PUBLICATION LANG. EN  
 NOT PUBLISHED  
 \_\_\_\_\_ U.S. only \_\_\_\_\_ Requested

## RECEIVED FROM THE APPLICANT: (other than checked above)

- ☒ National application basic fee paid  
☒ Express Processing Requested  
☒ Translation of the International Application  
☒ Used the IB copy of the IA  
☒ Description  
☒ Claims  
☒ Drawings  
☐ Foreign Language in drawing  
☐ Article 19 Amendments  
☐ Amendment used in application  
☐ Article 34 Amendment  
☐ Amendment used in application  
☐ DNA  
☐ 1194 transaction done

- ☒ Preliminary Amendment(s) filed 05 APR 2006  
☐ second submission  
☒ Information Disclosure Statement 05 APR 2006  
☐ second submission  
☒ Assignment  
☐ Forward to Assignment Branch  
☐ Substitute Specification  
☐ Small Entity Statement  
☐ type  
☒ Oath/Declaration (date submitted 15 JUN 2006)  
☐ Not executed  
☐ Executed  
☐ Power of Attorney  
☐ Change of Address

## 35 USC Receipt of Request (PTO-1399 Transmittal Letter)

Date Acceptable oath/declaration received

102(e) Date

Date complete 35 USC 371 requirements met

DATE NOTICE COMPLETED

DO/EO 903 Notice of Acceptance

DO/EO 905 Notice of Missing Requirements

DO/EO 917 Notice of A defective oath or declaration

DO/EO 916 Notice of defective response

DO/EO 913 Notice of defective translation

DO/EO 909 Notification of Abandonment

05 APR 2006

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PATENT APPLICATION  
Docket No.: 3268.1007-004

IN THE UNITED STATES RECEIVING OFFICE (RO/US)  
Designated/Elected Office (DO/EO/US)

COPY

U.S. National Stage of

International Application No.: PCT/US2004/032986

International Filing Date: 07 October 2004

Earliest Priority Date Claimed: 07 October 2003

Applicant: Yousef Al-Abed and Kevin J. Tracey

Title:

ISOXAZOLE AND ISOTHIAZOLE COMPOUNDS  
USEFUL IN THE TREATMENT OF INFLAMMATION

Attorney's Docket No.: 3268.1007-004

Date: April 5, 2006

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HAMILTON, BROOK, SMITH &amp; REYNOLDS, P.C.

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TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER 3268.1007-004
INTERNATIONAL APPLICATION NO. PCT/US2004/032986		U.S. APPLICATION NO. (If known, see 37 CFR 1.5)
INTERNATIONAL FILING DATE 07 October 2004	EARLIEST PRIORITY DATE CLAIMED 07 October 2003	
TITLE OF INVENTION ISOXAZOLE AND ISOTIAZOLE COMPOUNDS USEFUL IN THE TREATMENT OF INFLAMMATION		
INVENTOR(S) FOR DO/EO/US Yousef Al-Abed and Kevin J. Tracey		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371.</li> <li>2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371.</li> <li>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</li> <li>4. <input checked="" type="checkbox"/> The US has been elected (Article 31).</li> <li>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input checked="" type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li>6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto.</li> <li>b. <input checked="" type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ol> </li> <li>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input checked="" type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li>9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li> <li>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> </ol>		
Items 11 to 20 below concern document(s) or information included:		
<ol style="list-style-type: none"> <li>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98 (3 pgs) with 1449 (1 pg) with copy of reference and International Search Report.</li> <li>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li>13. <input checked="" type="checkbox"/> A preliminary amendment (19 pages).</li> <li>14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</li> <li>15. <input type="checkbox"/> A substitute specification.</li> <li>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</li> <li>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.</li> <li>18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</li> <li>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</li> <li>20. <input type="checkbox"/> Other items or information:</li> </ol>		

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)		INTERNATIONAL APPLICATION NO. PCT/US2004/032986		ATTORNEY'S DOCKET NUMBER 3268,1007-004	
The following fees have been submitted				CALCULATIONS	PTO USE ONLY
21. <input checked="" type="checkbox"/> Basic national fee (37 CFR 1.492(a))				\$300	
22. <input checked="" type="checkbox"/> Examination fee (37 CFR 1.492(c))					
If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)				\$0	
All other situations				\$200	\$200
23. <input checked="" type="checkbox"/> Search fee (37 CFR 1.492(b))					
If the written opinion of the ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)				\$0	
Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority				\$100	
International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB				\$400	
All other situations				\$500	\$400
TOTAL OF 21, 22 and 23 =				\$900	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
56 - 100 =	0 /50 =	0	x \$250	\$0	
Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).				\$0	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	36 - 20 =	16	x \$50	\$800	
Independent claims	5 - 3 =	2	x \$200	\$400	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360	\$0	
TOTAL OF ABOVE CALCULATIONS =				\$2,100	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.				\$0	
SUBTOTAL =				\$2,100	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).				+	\$0
TOTAL NATIONAL FEE =				\$2,100	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				+	\$
TOTAL FEES ENCLOSED =				\$2,100	
				Amount to be refunded:	\$
				Amount to be charged:	\$

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U.S. APPLICATION NO. (if known, see 37 CFR 1.5)	INTERNATIONAL APPLICATION NO PCT/US2004/032986	ATTORNEY'S DOCKET NUMBER 3268.1007-004
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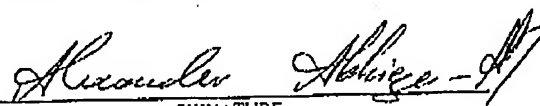
a. ☒ A check in the amount of \$2,100.00 to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. 08-0380 in the amount of \$[ ] to cover the above fees. A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any deficiency or credit any overpayment in the fees that may be due in this matter to Deposit Account No. 08-0380. A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO  
Customer No. 021005  
HAMILTON, BROOK, SMITH & REYNOLDS, P.C.  
530 Virginia Road  
P.O. Box 9133  
Concord, MA 01742-9133

  
SIGNATURE

Alexander Alchizer  
NAME

54,617  
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